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PATENTS  
CF/21CONCPA

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

## PATENT APPLICATION

Applicant : Philip M. Ginsberg  
Application No.: 09/225,537  
Filed : January 4, 1999  
For : FIXED-INCOME PORTFOLIO INDEX PROCESSOR  
Group Art Unit : 3624  
Examiner : Geoffrey R. Akers

New York, New York  
August 13, 2002

Hon. Commissioner for Patents  
Washington, DC 20231

TERMINAL DISCLAIMER  
UNDER 37 C.F.R. § 1.321(c)

Sir:

CFPH, L.L.C., a limited liability company organized and existing under the laws of the State of Delaware, having its principal office and place of business at 135 East 57<sup>th</sup> Street, New York, New York 10022, represents that it is the assignee of record of the entire, right, title and interest, by assignment, of the following issued United States patents and pending United States patent application:

1. U.S. Patent No. 5,857,176 for "FIXED INCOME PORTFOLIO DATA PROCESSOR," issued January 5, 1999 on Application No. 08/853,931, filed May 9, 1997 as a division of copending Application No. 08/396,422, filed February 28, 1995.

Application No. 08/396,422 was a continuation of copending Application No. 07/897,377, filed June 10, 1992, now abandoned. An assignment of the '377 application to Cantor Fitzgerald & Co., Inc. (a Delaware corporation) was recorded on June 10, 1992, at Reel 6175, Frames 0568-0569. The assignment is effective for the '377 application as well as the '422 application and the '931 application. An assignment of the '176 patent from Cantor Fitzgerald & Co., Inc. (a Delaware corporation) to CFPH, L.L.C. (a Delaware limited liability company) was recorded on March 26, 2002 at Reel 012754, Frames 0309-0325.

2. Application No. 09/225,537, was filed January 4, 1999 as a continuation of the aforementioned Application No. 08/396,422. The assignment of the '422 application to Cantor Fitzgerald & Co., Inc. is effective for the '537 application. An assignment of the '537 application from Cantor Fitzgerald & Co., Inc. (a Delaware corporation) to CFPH, L.L.C. (a Delaware limited liability company) was recorded on March 26, 2002 at Reel 012754, Frames 0309-0325.

The undersigned, on behalf of CFPH, L.L.C., hereby disclaims the terminal portion of the term of any patent to be issued on the present application, Application No. 09/225,537, which would extend beyond the expiration date, currently June 10, 2012, of the full statutory term of U.S. Patent No. 5,857,176.

The undersigned, on behalf of CFPH, L.L.C., agrees that any patent to be issued on the present Application No. 09/225,537 shall be enforceable only for and during such period as the legal title to such patent shall be the same as the legal title to said Patent No. 5,857,176, this agreement to run with any patent to be issued on Application

No. 09/225,537 and to be binding upon the grantee of such patent and its successors and assigns.

The undersigned, on behalf of CFPH, L.L.C., does not disclaim any terminal part of the term of any patent, to be issued on the above-identified Application No. 09/225,537, that would extend to the expiration date, currently June 10, 2012, of the full statutory term of U.S. Patent No. 5,857,176, in the event that U.S. Patent No. 5,857,176:

(a) expires for failure to pay a maintenance fee, (b) is held unenforceable, (c) is found invalid, (d) is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. § 1.321(a,b), (e) has all claims cancelled by a reexamination certificate, or (f) is otherwise terminated prior to expiration of its statutory term, except for the separation of legal title stated above.

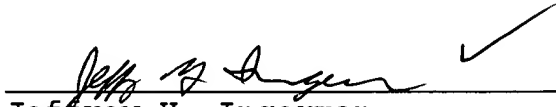
The undersigned hereby states and certifies that:

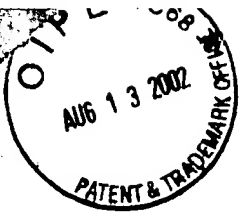
1. He is an attorney of record in the above-identified patent application and is authorized to act on behalf of assignee corporation in connection with said application; and

2. The relevant evidentiary documents have been reviewed and, to the best of the undersigned's and assignee's knowledge and belief, title to the above-identified Application No. 09/225,537 is in assignee.

CFPH, L.L.C.

By:

  
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Applicants : Philip M. Ginsberg  
Application No. : 09/225,537 Confirmation No. : 2363  
Filed : January 4, 1999  
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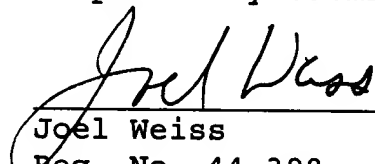
Hon. Commissioner for Patents  
P.O. Box 2327  
Arlington, VA 22202

AUTHORIZATION TO CHARGE DEPOSIT ACCOUNT

Sir:

The Director is hereby authorized to charge any additional fee due, or to credit any overpayment, in connection with the Terminal Disclaimer submitted concurrently herewith in connection with U.S. Patent No. 5,857,176, to Deposit Account No. 06-1075.

Respectfully submitted,

  
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